

**MINUTES**  
**CITY OF CEDAR PARK**  
**REGULAR SCHEDULED CITY COUNCIL MEETING**  
**CEDAR PARK CITY HALL - COUNCIL CHAMBERS**  
**450 CYPRESS CREEK BOULEVARD, BUILDING FOUR**  
**August 22, 2013 AT 6:30 PM**

Mayor Matt Powell  
 Stephen Thomas, Council Place One  
 Mitch Fuller, Council Place Two  
 Lyle Grimes, Council Place Three

Donald J. Tracy, Mayor Pro Tem  
 Lowell Moore, Council Place Four  
 Jon Lux, Council Place Five  
 Brenda Eivens, City Manager

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- A.1 CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN.

**Mayor Powell called the meeting to order at 6:30 p.m.**

**All Council present.**

- A.2 Invocation. <sup>(6)</sup>

**Mayor Pro Tem Tracy gave the Invocation.**

- A.3 Pledges Of Allegiance. (U.S. and Texas)

**Council led the audience in the Pledges of Allegiance.**

- A.4 Presentation: Recognition Of State Representative Paul Workman, District 47.

**Mayor Powell read and presented a Proclamation to State Representative Paul Workman in recognition of the service and representation he provides the City of the Cedar Park and its citizens.**

- A.5 Presentation: Employee Recognition For Service With The City Of Cedar Park - Andrew Manhein, IT, Ten Years Of Service.

**Withdrawn from the Agenda.**

- A.6 Citizen Communications. (Not for items listed on this agenda. Three minutes each. no deliberations with Council. Council may respond with factual information.

**Deb Signorino, Cedar Park, addressed Council in support of chickens being allowed in residential areas of Cedar Park.**

**Victoria Kogan, Cedar Park, addressed Council in support of chickens being allowed in residential areas of Cedar Park.**

- A.7 Mayor and Council Opening Comments.

**Councilmember Grimes commented on the Police Department assisting with the training of school crossing guards at LISD.**

**Councilmember Fuller commented on the Cedar Park High School Football Team celebration for presentation of the UIL 4A Lone Star Cup.**

**Mayor Powell commented on the meeting he attended with US Congressman Carter regarding salamanders.**

- A.8 City Manager Report: Update On The Parks And Recreation Department Fall Events Including SplashJam, Concert In The Park, Movies In The Park and Kid Fish - Curt Randa, Parks And Recreation Director.

**Curt Randa, Parks And Recreation Director, addressed Council regarding the Fall events planned by the Parks and Recreation Department.**

#### **CONSENT AGENDA**

*Pursuant to Council Rule 2.3, the City Council Consent Agenda consists of all matters set forth on Agenda Items B, C, and D.*

*Motion to approve all items on the Consent Agenda consisting of Agenda Items B, C and D, excluding Agenda Item D.11.*

**Movant: Mayor Pro Tem Tracy**

**Second: Councilmember Fuller**

**Vote: 6-0 with Councilmember Thomas off dais during vote.**

- B.1 Receipt Of The Planning And Zoning Commission Minutes From The Meeting Of June 18, 2013.

**Received under the Consent Agenda.**

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- C.1 (Z-13-013) Second Reading Of An Ordinance To Rezone Approximately 17.65 Acres From Single Family, Large Lot (SF) To Single Family, Large Urban Lot – Conditional Overlay (SF-3-CO) For Property Located At 1507, 1509, 1607 And 1609 West Park Street In Williamson County, Texas. *The Planning And Zoning Commission Voted 6-1 To Approve The Request With The Following Conditional Overlay: 10,000 Square Foot Minimum Lot Size And 25 Foot Minimum Rear Yard Setback.*

**Approved under the Consent Agenda.**

**Ordinance Number Z47.13.08.22.C1**

- D.1 A Resolution Awarding A Construction Bid For The 2013 Street Rehabilitation Program To Pavement Restoration Inc. For \$260,829.80.

**Approved under the Consent Agenda.**

**Resolution Number R145.13.08.22.D1**

- D.2 A Resolution For City Acceptance Of Scottsdale Crossing Phase 1 Subdivision Improvements.

**Approved under the Consent Agenda.**

**Resolution Number R146.13.08.22.D2**

- D.3 A Resolution For City Acceptance Of The Ranch at Brushy Creek Section 8A Subdivision Improvements.

**Approved under the Consent Agenda.**

**Resolution Number R147.13.08.22.D3**

- D.4 A Resolution For City Acceptance Of Scottsdale Crossing Street And Utility Improvements.

**Approved under the Consent Agenda.**

**Resolution Number R148.13.08.22.D4**

- D.5 A Resolution Authorizing And Directing The City Manager To Execute A Construction Contract With Siemens Industry, Inc, For The Internally Lighted Street Name Signs At Traffic Signals Project.

**Approved under the Consent Agenda.**



**Resolution Number R149.13.08.22.D5**

- D.6 A Resolution Authorizing And Directing The City Manager To Execute An Interlocal Agreement Between The City Of Cedar Park And The Central Texas Regional Mobility Authority For The BMC Drive Roadway Extension Project.

**Approved under the Consent Agenda.**

**Resolution Number R150.13.08.22.D6**

- D.7 A Resolution Authorizing And Directing The City Manager To Accept A Street Deed From BMC West Corporation For the BMC Drive Roadway Extension Project.

**Approved under the Consent Agenda.**

**Resolution Number R151.13.08.22.D7**

- D.8 A Resolution Authorizing And Directing The City Manager To Execute An Agreement With Dial Development Services Ltd. For 3rd Party Construction Observation / Inspection Services For The Bagdad Road (RM 1431 to Kettering Drive) Reconstruction Project In The Amount Of \$108,800.

**Approved under the Consent Agenda.**

**Resolution Number R152.13.08.22.D8**

- D.9 A Resolution Authorizing And Directing The City Manager To Negotiate And Execute A Lease For Suite 170, 500 Cypress Creek Road, Cedar Park, Texas With Stadium Sports Grill.

**Approved under the Consent Agenda.**

**Resolution Number R153.13.08.22.D9**

- D.10 A Resolution Authorizing And Directing The City Manager To Execute A Memorandum Of Understanding With The Williamson County And Cities Health District To Participate In A Matching Grant That Will Fund A Video Teleconferencing System For The Emergency Operations Center.

**Approved under the Consent Agenda.**

**Resolution Number R154.13.08.22.D10**

- D.11 A Resolution Authorizing And Directing The City Manager To Execute An Engineering Services Agreement With Carollo Engineers, Inc., For The Long Range Water Plan Update And The Long Range Wastewater Plan Update.

**Removed from Consent Agenda by Councilmember Fuller.**

**Eric Rauschuber, Director of Utilities, addressed Council regarding the plans updates. The Resolution will be amended to reflect the correct spelling of the firm's name.**

***Motion to approve a Resolution authorizing and directing the City Manager to execute an Engineering Services Agreement with Carollo Engineers, Inc., for the Long Range Water Plan Update and the long Range Wastewater Plan Update.***

**Movant: Councilmember Fuller**

**Second: Councilmember Lux**

**Vote: 6-0 with Councilmember Thomas off dais during vote.**

**Resolution Number R155.13.08.22.D11**

### **PUBLIC HEARINGS**

- E.1 First Reading And Public Hearing On An Ordinance Adopting A Municipal Operating Budget For The Fiscal Year Beginning October 1, 2013, And Ending September 30, 2014; Adopting A Municipal Capital Budget For The Fiscal Year Beginning October 1, 2013, And Ending September 30, 2014; Appropriating Funds In Accordance With The Budget; Providing For Effective Date And Ordaining Other Related Matters.

**Agenda Item E.1 and E.2 called together.**

**Joseph Gonzales, Finance Director, addressed Council regarding the FY2014 proposed budget. The budget goal is to diversify revenue streams and propose a structurally balanced budget. The property tax rate will remain the same at \$.493501.**

**Mayor Powell commented on lowering the tax rate to \$ .492501.**

**Councilmember Fuller inquired about the undeveloped land in the city that has an agricultural tax exemption. He would like an analysis on how much agricultural exempt land is in Cedar Park.**

**Mayor Powell opened the Public Hearings.**

**No Public Comment.**

**Mayor Powell closed the Public Hearings.**

- E.2 First Reading And Public Hearing On An Ordinance To Consider A Tax Rate Of \$0.493501; Increase The Total Tax Revenues Of The City Of Cedar Park; And Levy Taxes For The Fiscal Year 2013/2014.

**Agenda Item E.1 and E.2 called together.**

**Refer to Agenda Item E.1 for discussion and Public Hearings.**

- E.3 First Reading And Public Hearing To Consider An Ordinance Changing The Roadway Name Of Cleo Bay Drive To Toro Grande Boulevard.

**Tom Gadala, Sr. Engineering Associate, addressed Council regarding the proposed roadway name change. The Cleo Bay dealership has vacated its auto sales use from the site. Even though the roadway was named Cleo Bay Drive, the building located on the site has a Whitestone Boulevard address. There are zero properties which had or have a Cleo Bay Drive address; therefore, there are no property owners who need to be notified of the proposed name change. This is a City initiated roadway name change with a recommendation that Cleo Bay Drive be changed to Toro Grande Boulevard.**

**Mayor Powell commented on the need to be cautious going forward regarding naming streets for businesses. He would like to challenge the Historic Preservation Commission to brainstorm potential names that may have a historic link to Cedar Park.**

**Mayor Powell opened the Public Hearing.**

**No Public Comment.**

**Mayor Powell closed the Public Hearing.**

- E.4 (OA-13-005) First Reading And Public Hearing On An Ordinance Amending Chapter 11, Article 11.01 Zoning Ordinance, Division 2 General Compliance, Section 11.01.010 Portable And Temporary Buildings During Construction To Amend The Regulations Regarding Portable And Temporary Buildings. *The Planning And Zoning Commission Voted 7-0 To Approve This Amendment.*

**Amy Link, Planning Manager, addressed Council regarding the proposed amendments to the ordinance. The amendment will allow expanding businesses to use portable buildings to house business offices while expansion of the permanent structures is underway. Portable buildings will not be permitted until a building permit has been issued for the new permanent structures on a site.**



**Mayor Powell opened the Public Hearing.**  
**No Public Comment.**  
**Mayor Powell closed the Public Hearing.**

- E.5 (ANX-13-001) Second Public Hearing And Commentary On The Petition By Texas Parks And Wildlife Department For Voluntary Annexation Of Approximately 34.08 Acres Of Land Located Near The Southeast Corner Of South Bell Boulevard And East Little Elm Trail.

**Amy Link, Planning Manager, stated this is the second of two required statutory public hearings on the proposed voluntary annexation of approximately 34.08 acres of land located near the southeast corner of South Bell Boulevard and East Little Elm Trail. The resolution accepting a petition in support of full-purpose annexation of this property and setting a date, time and place for public hearings regarding voluntary annexation was approved by City Council on April 25, 2013.**

**Mayor Powell opened the Public Hearing.**  
**No Public Comment.**  
**Mayor Powell closed the Public Hearing.**

#### **REGULAR AGENDA (NON-CONSENT)**

- F.1 Consideration To Approve A Resolution Approving The Proposed 2014 Operating Budget For The Brushy Creek Regional Utility Authority ("BCRUA").

**Joseph Gonzales, Finance Director, addressed the Council regarding the proposed 2014 BCRUA budget.**

**Councilmember Fuller commented on the amount paid by each entity being based on capacity.**

***Motion to approve a Resolution approving the Proposed 2014 Operating Budget for the Brushy Creek Regional Utility Authority ("BCRUA").***

**Movant: Councilmember Fuller**  
**Second: Councilmember Thomas**  
**Vote: 7-0**

**Resolution Number R156.13.08.22.F1**

- F.2 Consideration For The Approval Of A Resolution Authorizing And Directing The City Manager To Execute A Contract With Aetna For Employee Group Medical Insurance, And Dental Insurance.

**Miguel Ozuna, Human Resources Director, addressed Council regarding Employee Group Medical Insurance and Dental Insurance. Aetna's Medical Insurance renewal rate was negotiated down to a 9.9% increase and a 5% increase for our Dental Insurance.**

***Motion to approve a Resolution authorizing and directing the City Manager to execute a contract with Aetna for Employee Group Medical Insurance and Dental Insurance.***

**Movant: Councilmember Moore  
Second: Councilmember Grimes  
Vote: 7-0**

**Resolution Number R157.13.08.22.F2**

- F.3 Report/Update On The Mayor's Blue Ribbon Committees:

- a. Tax Rate And Bond Capacity.

**Councilmember Thomas updated the Council on the activities of the committee. They are currently waiting on the development of multi-level maps and also for the budget process to be completed and then will be moving forward.**

- b. Office Recruitment.

**Mayor Powell stated the committee has been very active and already completed meetings with three development companies and has invites out with two more. The committee is working on figuring out the right questions to ask.**

- c. Higher Education Campus.

**Mayor Pro Tem Tracy stated there has been discussion about the types of institutions to pursue. Consideration is being given to institutions without representation in central Texas in the health/medical or research and development focus.**

- F.4 Discussion And Possible Action On Economic Development Partnerships And Sister City Opportunities. (Mayor Powell)

**Phil Brewer, Economic Development Director, addressed Council regarding an outreach program. A small working group comprised of Staff, Council, and local businesses can be**



used to come up with a recommendation on establishing an international business program.

Mayor Powell commented on the working group. He would like them to focus on existing opportunities in Cedar Park. Entities such as Austin Community College can be consulted along with local businesses that do international business. He commented on the possibilities for economic and cultural exchange.

Mayor Pro Tem Tracy commented on the resources at Austin Community College that can be utilized as a resource.

Councilmember Lux stated he is interested in serving on the working group.

Mayor Powell would also like to serve in a secondary role.

Mayor Pro Tem Tracy stated he can also be used as a resource or in any capacity the group needed.

Councilmember Moore stated he is interested in the cultural aspects.

*Motion to create a working group to review potential international economic development partnerships and Sister City Opportunities with Phil Brewer and Councilmember Lux to co-chair.*

**Movant: Mayor Powell**

**Second: Mayor Pro Tem Tracy**

**Vote: 7-0**

- F.5 Consideration Of Appointment To Place Seven On The Planning And Zoning Commission With A Term To Expire July 2015. (Mayor Powell)

**Agenda Item F.5 call after Agenda Item E.5**

*Motion to reappointment Kelly Brent to Place Seven on the Planning and Zoning Commission with a term to expire July 2015.*

**Movant: Mayor Powell**

**Second: Councilmember Thomas**

**Vote: 7-0**

- F.6 Consideration Of Appointment To Place Two On The Arts Advisory Board With A Term Expire July 2015. (Fuller)

*Motion to table until Sunset Commission makes a recommendation.*

**Movant: Councilmember Fuller**

**Second: Councilmember Moore**

**Vote: 7-0**

- F.7 Update And Report On The Capital Area Metropolitan Planning Organization ("CAMPO") Transportation Policy Board Meeting Of August 12, 2013. (Mayor Powell)

**Mayor Powell provided an update of the CAMPO meeting. Ride sharing was discussed in addition to the centers concept. The bridge on the RM 1431 hike and bike trail has been approved by the Board.**

- F.8 Update And Report On The Capital Area Council Of Governments ("CAPCOG") Economic Development Committee And Executive Committee Meetings Held On August 9, 2013 And August 14, 2013. (Tracy)

**Mayor Pro Tem Tracy provided Council with an update on the CAPCOG meetings he attended. A new five year strategy planning process for economic development is beginning and he will be serving on the committee. The new Emergency Communications District is online and the COG will consider bylaws at the meeting in September.**

### **EXECUTIVE SESSION**

*In accordance with Chapter 551, Government Code, Vernon's Texas Code Annotated (V.T.C.A.) (Open Meetings Law), "The City Council may meet in a Closed Executive Meeting pursuant to provisions of the Open Meetings Law, Chapter 551, Government Code, V.T.C.A. in accordance with the authority contained in the following sections":*

**Council convened into Executive Session at 8:12 p.m.**

- G.1 Section § 551.071 (2) Consultation With Attorney Regarding Matters In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflict With This Chapter:

a. Legal Issues Concerning The Terms Of The Strategic Partnership Agreement Providing For The Voluntary Annexation Of Travis County Water Control Improvement Districts 1F And 1G And Bella Vista Municipal Utility District.

- b. Legal Issues Concerning Permitted Uses In The General Office ("GO") And Hospital ("H") Zoning Districts.
- c. Legal Issues Concerning An Interlocal Agreement With Williamson County For A Communications Tower.
- d. Legal Issues Concerning Membership In The Lone Star Regional Water Authority.

The Council Reconvenes into General Session.

### OPEN MEETING

*Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.*

- H.1 Reconvene into Open Meeting and consider action, if any, on items discussed in Executive Session.

**Council reconvened from Executive Session into Open Meeting at 9:00 p.m.**

**No action taken on any items discussed in Executive Session.**

- H.2 Mayor and Council Closing Comments.


**Councilmember Thomas requested a future agenda item for the appointment of Place One on the 4B Board.**

**Mayor Powell requested staff to research water capacity as it relates to eventual build out, and also would like to look at the long-term water contract with LCRA. Mayor Powell also commented on the signal timing for east-west traffic not appearing to be as fast moving as the north-south directions.**

- H.3 Adjournment.

**Mayor Powell adjourned the meeting at 9:03 p.m.**

**PASSED AND APPROVED THIS 26<sup>TH</sup> DAY OF SEPTEMBER, 2013.**

  
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**Matthew Powell, Mayor**



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ATTEST:



LeAnn M. Quinn, TRMC  
City Secretary

